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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,820	08/28/2001	Rigby J. Heusinkveld	10007067-1	6664

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

AGGARWAL, YOGESH K

ART UNIT	PAPER NUMBER
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2622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/940,820

Applicant(s)

HEUSINKVELD, RIGBY J.

Examiner

Yogesh K. Aggarwal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4-8, 15, 16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Lemelson et al. (US Patent # 4,485,400).

[Claims 1 and 15]

Lemelson et al. teach a visual communication system (figures 1, 2 and 6) comprising:

a camera for capturing images (figure 2, element 12);

an electronic display (figure 2, element 12) for displaying said images captured by said camera (col. 3 lines 58-68, col. 4 lines 1-2);

a communication interface (figure 2, element 61a) for communicating said captured images (col. 4 lines 50-54); and

a rugged casing (figure 2, element 86) protecting said electronic display, said camera, and said communication interface (col. 6 lines 41-51, The casing is inherently rugged so as to protect the device from the extreme weather conditions during travel).

[Claims 2 and 16]

Lemelson et al. teach an illumination source for use with said camera (col. 2 lines 48-54, figures 1 and 2, element 16).

[Claim 4]

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Lemelson et al. teach wherein said communication interface supports multimedia communication (col. 2 lines 13-16).

[Claim 5]

Lemelson teaches a hinged support 12B for supporting the television camera 12 and can be moved along the hinged support independent from said electronic display 42 and said communication interface 61a.

[Claim 6]

The camera 12 is miniaturized for storing inside the rugged housing.

[Claim 7]

Lemelson et al. teach a microphone (figure 1, element 61B) for facilitating verbal communication from a user of said system (col. 5 lines 10-19) and a speaker (figure 2, element 60) for playing remote audio signals received by said communication interface (col. 4 lines 50-54).

[Claims 8 and 18]

Lemelson et al. teach a communication interface that would inherently contain a signal processor for communicating images captured by said camera.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 9-12 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Kolls (US Patent # 6,389,337).

[Claim 9]

Kolls teaches a method for remotely monitoring services comprising the steps of establishing a network connection between a service provider and a customer (col. 52 lines 54-62), visually capturing images of services provided by said service provider (figure 4 discloses a camera 250 for capturing images of the services provided i.e. inside the engine), communicating said images to said customer over said network connection (figure 4 shows a RS232 interface 218 and wireless modem 270 communicating images and audio through a vehicle radio interface 248) and reinforcing equipment used in said establishing, visually capturing, and communicating steps (figures 1A-1N disclose device 200 placed on the hood or inside the engine of a vehicle and enclosed in a housing. This housing has to be inherently reinforced so as to protect the device from the extreme weather conditions).

[Claim 10]

The method of claim 9 further comprising the step of displaying said captured images to said service provider (figure 4 discloses a LCD display 216 for displaying pictures captured by a camera 250).

[Claim 11]

Kolls teaches processing said images (figure 4, element 234) and wirelessly transmitting said processed images to said customer (figure 4, element 258).

[Claim 12]

Kolls teaches a vehicle radio interface 248 (figure 4) for audio transmission.

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[Claim 14]

Kolls discloses audio and video, which are read as multimedia images.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemelson et al. (US Patent # 4,485,400).

[Claims 3 and 17]

Lemelson teaches a transmission device but is silent about having a transmitter for facilitating wireless communication. However Official notice is taken of the fact that it is notoriously common to have a transmitter for facilitating wireless communication in order for images and audio to be communicated without the use of a wired line. Therefore taking the combined teachings of Lemelson and Official notice, it would have been obvious to one skilled in the art at the time of the invention to have been motivated to have a transmitter for facilitating wireless communication. The benefit of doing so would be to have transmission done in a rugged terrain without wired lines.

7. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kolls (US Patent # 6,389,337) in view of Lemelson et al. (US Patent # 4,485,400).

[Claim 13]

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Kolls fails to disclose an illuminating source for illuminating said captured images. However Lemelson et al. discloses an illuminating source for use with said camera (col. 2 lines 48-54, figures 1 and 2, element 16) for illuminating the images. Therefore taking the combined teachings of Kolls and Lemelson, it would have been obvious to one skilled in the art at the time of the invention to have been motivated to have an illuminating source for use with said camera for illuminating said captured images. The benefit of doing so would be if ambient light falls the engine can be properly illuminated so that images with better luminance can be taken and transmitted.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Yarush et al. (US Patent # 6,692,432 and US Patent # 5,879,289) discloses a hand-held portable endoscopic camera used by mechanics.

b) Hull et al. (US Patent # 5,806,005) disclose a camera in a remote station used to transmit images and audio over Internet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh K. Aggarwal whose telephone number is (571) 272-7360.

The examiner can normally be reached on M-F 9:00AM-5:30PM.


9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571)-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

YKA

March 19, 2007



VIVEK SRIVASTAVA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600